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April 24, 2007

The Honorable Mary Pat Thyng
United States District Court
844 King Street, Lock Box 8
Wilmington, DE 19801

RE: DeWayne Walker v. City of Wilmington et al. -C.A. No. 06-288 *;
Postponement of Mediation Scheduled for May 9, 2007;
Request for Scheduling Teleconference.**

Dear Judge Thyng:

This letter is to request a postponement of above-scheduled mediation, due to the unavailability of the confidential informant, who is currently residing in Ohio. When the parties agreed to schedule mediation for May 9, we anticipated that discovery would have closed in February and all briefing on dispositive motions would be completed in April. The confidential informant's unavailability has extended discovery and has postponed the City's filing of its Opening Brief in support of summary judgment.

This case arises from the mistaken execution of a search warrant that was based, in part, on a confidential informant's tip. For that reason, the confidential informant's sworn statements are essential before the City can file its Opening Brief. Without the confidential informant's sworn testimony, the City cannot fully assess the strengths and weaknesses of this case for mediation.

By separate motion, I will be requesting a new briefing schedule that will provide sufficient time to summon the confidential informant to Delaware for a deposition. After briefing is completed and the confidential informant gives sworn testimony, the City will be in a better position to evaluate this case for mediation.

In light of the above concerns, the parties request to postpone the May 9 mediation until full briefing has been completed for the City's dispositive motion.

Respectfully submitted,



Alex J. Mili, Jr.
Senior Assistant City Solicitor

cc: Philip B. Bartoshesky, Esquire